

### Affidavit

I, Jürgen Hochschorner, resident at 64560 Riedstad, Schusterwörthstrasse 5, swear the following affidavit in the knowledge that it is a criminal offence to intentionally make a false statement:

I have been employed at Röhm GmbH since 01.09.1978. Among my duties are the conversion of the product code names into our SAP bills of materials. The SAP bills of materials are the basis for the preparation of our Production Department documentation. I worked as an assistant manager from 1993 to 1995.

On the basis of this activity, I can demonstrate that large quantities of ®Viskoplex 6-500 and ®Viskoplex 6-950 were prepared and sold before the priority date.

The composition of ®Viskoplex 6-500 and ®Viskoplex 6-950 at the time of sale can be seen in the Production Department descriptions which are enclosed together with the sales documents from which the time of delivery can be inferred in each case.

I shall be pleased to clarify any points.

Darmstadt, 07.05.2002

[signature]

### Enclosures

1. Sales documents relating to the delivery of 4,200 kg ®Viskoplex 6-950 which were delivered on 7<sup>th</sup> November 1994 to Huels Japan LTD, Tokyo, Japan.
2. Sales documents relating to the delivery of 6,300 kg ®Viskoplex 6-950 which were delivered on 15<sup>th</sup> November 1994 to Henkel Taiwan LTD, Taipei, Taiwan.

3. Sales documents relating to the delivery of 4,550 kg @Viscoplex 6-950 which were delivered on 29<sup>th</sup> November 1994 to Henkel-Nopco A/S, N-3001 Drammen, Netherlands.
4. Sales documents relating to the delivery of 4,550 kg @Viscoplex 6-950 which were delivered on 25<sup>th</sup> March 1994 to Henkel-Nopco A/S, N-3001 Drammen, Netherlands.
5. Sales documents relating to the delivery of 18,160 kg @Viscoplex 6-500 which were delivered on 8<sup>th</sup> November 1994 to Huels USA C/O, USA.
6. Sales documents relating to the delivery of 2,450 kg @Viscoplex 6-500 which were delivered on 22<sup>nd</sup> November 1994 to HAFA S.A. G. Borca & Fils, France.
7. Sales documents relating to the delivery of 3,500 kg @Viscoplex 6-500 which were delivered on 8<sup>th</sup> November 1994 to Castrol Austria GmbH, Neudorf, Austria.
8. Sales documents relating to the delivery of 1,400 kg @Viscoplex 6-500 which were delivered on 26<sup>th</sup> January 1994 to HAFA S.A. G. Borca & Fils, France.
9. Production Department description of the product @Viscoplex 6-950 which was valid from 19<sup>th</sup> February 1990 until 4<sup>th</sup> April 2000.
10. Production Department description of the product @Viscoplex 6-500 which was valid from 23<sup>rd</sup> February 1990 until 21<sup>st</sup> February 1996.